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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,712	06/10/2005	Makoto Funabiki	MAT-8705US	6789
23122	7590	02/18/2009	EXAMINER	
RATNERPRESTIA			NGUYEN, MINH TRANG T	
P.O. BOX 980			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,712	<b>Applicant(s)</b> FUNABIKI ET AL.
	<b>Examiner</b> Minh-Trang Nguyen	<b>Art Unit</b> 2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 June 2005 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicants' arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al (US 2003/0026241 A1) in view of Terry (7,006,481).

Regarding **claim 1**, Ono et al disclose a router device (see Fig. 19, e.g., end node EN2) comprising:

a connection processing section (see Fig. 2, item 48, paragraph [0240]) for performing a connection process with a base station (see Fig. 19, paragraphs [0387], [0392], e.g.,

**Temporary home agent, THA 21b**) in an external network (see Fig. 19, network 2);  
a lower-layer information acquisition section (see Fig. 2, input processing 41,  
**paragraph [0229]**) for acquiring connection information; and  
a route judgment section for judging (see Fig. 2, item 50, e.g., the control message  
**processing**) when receiving a packet destined for a communication device in an external  
network from a radio terminal device in a same local network (see Fig. 21, and **paragraph**  
**[0388]**, e.g., **packet destined for home address is received by EN 1**) the base station (see Fig.  
21, and **paragraph [0388]**, e.g., **base station THA 21b**) as a transfer destination regardless of  
information stored in a routing table (see **paragraph [0388-0392]**), and judging a transfer  
destination by looking up the routing table (see Fig. 2, items 51, 53, 46a) in a case of the  
connection information being indicative of a non-connection with the base station (see  
**paragraph [0263]**).

Ono et al do not expressly disclose that the router acquires connection information sent  
from the base station indicating the base station is connectable with the router device;

Terry discloses the above recited limitations (see Fig. 6, step 65, col. 5, lines 63-67, see  
also Fig. 3, 4, e.g., **integrated WLAN3G terminal 220 or 305 acquires connection**  
**information sent from the base station 225 or 320 indicating the base station is connectable**  
**with integrated WLAN3G terminal**).

At the time of invention, it would have been obvious to a person of ordinary skilled in the  
art to incorporate the functions of the integrated WLAN3G terminal as taught by Terry in Ono et  
al's router. The suggestion/motivation would have been to provide the integration of wireless  
local area networks (WLAN) cellular networks as suggested by Terry at column 1, lines 14-16.

Regarding **claim 2**, the combined teachings Ono et al and Terry disclose the claim limitations with respect to claim 1, and further disclose a router device includes :  
a buffer for storing received data (see **Ono et al, Fig. 43**, e.g., **Binding cache table 44A, Terry, Fig. 4, items 230, 330, 235**) and a connection instructing section (see **Ono et al, Fig. 43, e.g., Binding cache search 43A, Terry, Fig. 4, items 330, 235**) for instructing the connection processing section to have a connection with the base station (see **Terry, col. 5, lines 1-29, Ono et al, Fig. 43, paragraph [0467-0469]**), wherein

when the route judgment section (see **Ono et al, Fig. 2, item 50**, e.g., **the control message processing**) receives a packet destined for a communication device of the external network from a radio terminal device in the same local network (see **Ono et al, Fig. 21, and paragraph [0388]**, e.g., **packet destined for home address is received by EN 1**), in a case of the connection information of from the lower-layer information acquisition section is indicative of not being connected with but connectable with the base station the received packet is held in the buffer (see **Ono et al, paragraph [0388-0392], Terry, col. 5, lines 1-29**), and the received data in the buffer is transferred to the base station after the connection instructing section instructed the connection processing section to have a connection with the base station and the connection processing section completes the connection with the base station (see **Ono et al, Fig. 20, paragraph [0406], Terry, col. 5, lines 1-29**).

Regarding **claim 3**, the combined teachings Ono et al and Terry disclose claim limitations with respect to claim 1, and further disclose a router device comprising: a mobile IP processing section for registering a position to a home agent device set up on the Internet (see **Ono et al, Fig. 2, item 52, paragraphs [0234-0235]**).

Regarding **claim 4**, the combined teachings Ono et al and Terry disclose claim limitations with respect to claim 1, and further disclose that the route judgment section, in a case of a next hop router is given as another router device in the same local network when looking up a routing table, inquires of a radio terminal device, as a source of the received packet, whether to transfer the received packet to the next hop router (see **Ono et al, paragraph [0499]**).

Regarding **claim 5**, the combined teachings Ono et al and Terry disclose claim limitations with respect to claim 4, and further disclose, and further disclose that the route judgment section transfers the received packet to the next hop router in a case of a response for permission from the radio terminal device and discards the received packet in a case of a response for non-permission (see **Ono et al, paragraph [0360-0372]**).

Regarding **claim 6**, see similar rejection with respect to claim 1, and Ono et al further disclose a communication method on a local network (see **paragraph [0035]**) having a plurality of radio terminal devices (see **Fig. 42, e.g., MN 3'**) and a plurality of router devices (see **Fig. 42, e.g., R 13'**) for communication with a communication device existing on the Internet.

Regarding **claim 7**, see similar rejection with respect to claim 1.

Regarding **claim 8**, see similar rejection with respect to claim 1.

Regarding **claim 9**, see similar rejection with respect to claim 1. The combined teachings Ono et al and Terry further disclose that the router device, when receiving a packet from a radio terminal device in a same local network (see **Ono et al, paragraph [0461], e.g., the current position information ( COA, care of address) which is registered into the HA**), transferring the packet received to the communication device via the home agent device through use of reverse tunneling based on mobile IP, regardless of a content of a routing table (see **Ono et al,**

**Fig. 42, and paragraph [0461], e.g., the received packet destined for MN 3' is routed to resident router 13' via HA 10').**

Regarding **claim 10**, see similar rejections with respect to claims 1, 9. The combined teachings Ono et al and Terry further disclose a step that a router device registers a position to a home agent device set up on the Internet (see **Ono et al, paragraph [0461], e.g., the current position information ( COA, care of address) which is registered into the HA**); a step of transmitting a packet destined for a communication device in an external network, from a radio terminal device in a same local network to the router device (see **Ono et al, Fig. 19, paragraphs [0387], [0392], e.g., a radio terminal device 3b transmits a packet to communication device 3a via a router device EN1 or EN2**).

Regarding **claim 11**, see similar rejection with respect to claim 4.

Regarding **claim 12**, see similar rejection with respect to claim 4.

Regarding **claim 13**, see similar rejection with respect to claim 5.

Regarding **claim 14**, see similar rejection with respect to claim 5.

Regarding **claim 15**, the combined teachings of Ono et al and Terry disclose the claim limitations mentioned above with respect to claim 2, the combined teachings of Ono et al and Terry further disclose that when the router device is not connected with the base station, the connection instructing section checks whether the router is in a connectable status according to information indicative of signal reception intensity from the base station and a connection is established when the router is in the connectable status (see **Terry, col. 2, lines 57-67, col. 3, lines 22-41, col. 4, lines 10-40**).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Trang Nguyen whose telephone number is (571)270-5248. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM EST, first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag G. Shah can be reached on 571-272-3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. N./  
Examiner, Art Unit 2419

/Wing F. Chan/  
Supervisory Patent Examiner, Art Unit 2419  
2/16/09